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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA,
(SACRAMENTO DIVISION)

CYTOSPORT, INC., a California
corporation,

Plaintiff,

v.

VITAL PHARMACEUTICALS, INC., a
Florida Corporation,

Defendant.

**ORDER MODIFYING PRETRIAL
DATES**

Case No.: 2:08-CV-02632-FCD-GGH

The Court, having reviewed the stipulation of the parties, and good cause appearing, ORDERS that the pretrial dates in this case be modified as follows:

1. The parties shall meet and confer no later than November 19, 2010 to establish a deposition schedule to the extent feasible. The parties shall work in good faith to schedule all depositions previously noticed or requested by either party for mutually agreeable dates in January 2011 (subject to any objections). Nothing in this Order shall limit the ability of any party to notice additional depositions, and the parties shall meet and confer in good faith to schedule any such additional depositions (subject to any objections).

2. VPX shall complete its supplemental document production no later than November 30, 2010.

3. The parties shall hold an in-person settlement conference on a date in December 2010 to be mutually agreed by the parties. The conference shall take place at a mutually agreeable location in this District, unless otherwise agreed by the parties.

4. The existing pretrial deadlines shall be modified as follows:

<u>Event</u>	<u>Current Date</u>	<u>New Proposed Date</u>
Disclosure of Identity of Experts (provide name and short statement of expected testimony of experts other than rebuttal experts)	11/22/10	2/15/11
Disclosure of Rule 26(a)(2)(B) Initial Reports	11/29/10	2/22/11
Disclosure of Rebuttal Expert Reports	12/29/10	3/29/11
Expert Discovery Cut-Off	1/13/11	4/15/11
Discovery Cut-Off	1/11/11	4/15/11
Dispositive Motion Hearing Cut-Off	2/11/11	5/27/11
Final Pretrial Conference	4/8/11	7/22/11 at 2:00 p.m.
Jury Trial	6/14/11	9/27/11 at 9:00 a.m.

1 **IT IS SO ORDERED.**

2 DATED: November 15, 2010

A handwritten signature in black ink, appearing to read "Frank C. Damrell, Jr.", written in a cursive style.

3 FRANK C. DAMRELL, JR.
4 UNITED STATES DISTRICT JUDGE